

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA, }
Plaintiff, } NO. CR-07-0025-WFN-1
-vs- }
ISMAEL AVILA, } ORDER
Defendant. }

A second post-plea hearing was held July 17, 2007. The Defendant, who is in custody, was present and represented by newly appointed counsel Dan Johnson; Assistant United States Attorney Aine Ahmed represented the Government

The Court reviewed the status of the case. Retained counsel, Julian St. Marie, was relieved of her representation on July 2, 2007. Defendant filed a financial affidavit and was appointed counsel on July 5, 2007. Defense counsel advised the Court that Defendant did not wish to pursue his pro se Motion to Withdraw Guilty Plea, filed June 27, 2007 (Ct. Rec. 61-1).

The Court has reviewed the file and is fully informed. This Order is entered to memorialize and supplement the oral rulings of the Court. Accordingly,

IT IS ORDERED that:

1. Defendant's Motion to Withdraw Guilty Plea, filed June 27, 2007, Ct. Rec. 61-1, is **DENIED AS MOOT**.

2. The sentencing hearing set for **September 11, 2007, at 10:00 a.m., in Spokane, Washington** is **CONFIRMED**.

The District Court Executive is directed to file this Order and provide copies to counsel and to the United States Probation Office.

DATED this 17th day of July, 2007.

07-17

s/ Wm. Fremming Nielsen
WM. FREMMING NIELSEN
SENIOR UNITED STATES DISTRICT JUDGE